IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION 1114 OF 2004

Rohinton Sali Dadyburjor.....Petitioners
Versus
State of Maharashtra & Ors..Respondents

Mr. G.S.Rao i/b. Lex Consultants for Petitioner
Mr. K.R. Belosey, AGP for Respodnents.

CORAM: F.I. REBELLO & S.P.KUKDAY, JJ.
DATE : 4TH MAY, 2005

P.C.:

1. Respondent State had announced an amnesty scheme dated 24th January, 2004. By order of 23rd April, 2004 by way of ad-interim relief the respondents were directed to accept all applications if they are submitted on or before 30th April, 2004.

2. By the present petition the petitioner has prayed for quashing the provisions in the scheme on insisting for the passbook under Amnesty Scheme 2004 declared by Respondent NO.1 vide Notification dated January 24, 2004 and further to extend the period and for further interim relief. By the interim order all applications were directed to be accepted. The said scheme has thereafter been amended by G.R. dated 17th May, 2004. Clause 10 as earlier set out in the earlier scheme has since been amended. If the scheme is amended it is the scheme of 17th May, 2004 which would apply. Even otherwise the scheme of amnesty it for those persons who fall in the amnesty scheme who would be entitled to avail the benefits. In other words a class of persons falling within that scheme. Considering the amendment we do not propose to go into that controversy though prima facie we are of the opinion that such challenges would not be maintainable. As the respondents have

accepted the applications including that of the petitioner the respondents to consider the same in terms of the scheme as amended.

. With the above observations petition stands disposed of. No order as to costs.

(F.I.REBELLO, J.)

(S.P. KUKDAY, J.)